IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

WP(C).No. 27798 of 2007(H)

PETITIONER:

BIJU T.NAIR, S/O THANKAPPAN NAIR,
AGED 35 YEARS, THULISALA KOIKAL HOUSE,
ELANTHOOR P.O., PATHANAMTHITTA DISTRICT,
FULL-TIME MENIAL, SREEVIVEKANANDA HIGH SCHOOL,
PULLAD, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.V.MANOJ KUMAR
SRI. IYPE JOSEPH

RESPONDENTS:

1. **STATE OF KERALA, REPRESENTED BY**
   GENERAL EDUCATION, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **JOINT DIRECTOR OF POLICE INSTRUCTIONS,**
   THIRUVANANTHAPURAM.

3. **THE MANAGER,**
   SREE VIVEKANANDA HIGH SCHOOL,
   PULLAD, PATHANAMTHITTA.

4. **RUBESH KUMAR, CHERUMALA VEEDU,**
   KURANGAZHA P.O., PULLAD, THIRUVALLA,
   PIN-689548, WORKING AS PEON,
   SREE VIVEKANANDA HIGH SCHOOL,
   PULLAD, PATHANAMTHITTA DISTRICT.

BY GOVERNMENT PLEADER SRI.A.J.VARVHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN,J

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W.P.(C).No.27798 of 2007

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Dated this the 19th day of September 2007

JUDGMENT

The petitioner was appointed as a Full-time Menial on 2.7.2001 in Sree Vivekananda High School, Pullad, Pathanamthitta. On 13.8.2007, Ext.P2 order was served on the petitioner retrenching him from the service as a Full-time Menial of the School with effect from 15.7.2005. The petitioner has not been issued any notice regarding the same prior to service of the said order. The petitioner submits that Ext.P2 order has been passed on the basis Ext.P3 order of the second respondent Joint Director of Public Instruction which also is impugned in this writ petition. Against Ext.P2 order, the petitioner has filed an appeal and a stay petition under Rule 12F of the Kerala Education Rules before the first respondent. The petitioner seeks disposal of Ext.P4 appeal and P4(a) stay petition expeditiously.

2. I have heard the learned Government Pleader also. In the facts and circumstances of the case, there would be a direction to the first respondent to consider and pass

appropriate orders on Ext.P4 appeal within two months from the date of receipt of a copy of this judgment. The first respondent shall also pass orders on Ext.P4(a) stay petition within two weeks from today.

The writ petition is disposed of accordingly.

S.SIRI JAGAN, JUDGE

dvs